

this long to confirm an Attorney General. SCHIP is a good example. They knew that was going to be vetoed. It was vetoed. They had the veto override vote and it was sustained. So they came up with a new SCHIP bill which actually spent more money but covered fewer children than the original bill sent to the President.

My point is, many of these initiatives that are being undertaken by our colleagues on the Democratic side are designed to prove a political point, not to solve problems. The American people want us to solve problems, which is precisely why the approval ratings of the Congress are so low.

The Labor-HHS appropriations bill which was passed by this body yesterday is \$9 billion over budget. There are 33 States with operating budgets that are lower than the \$9 billion in overspending contained in the Labor, HHS, and Education appropriations bill that passed the Senate yesterday.

These are some pretty staggering numbers when we think about it. We have \$3 gasoline, oil at \$93 a barrel, and no Energy bill. Again, it is bogged down in the Congress, languishing because of the political bickering going on back and forth.

We have the alternative minimum tax that is going to kick in this year. Only 54 days until 2008, and we still don't have a solution to that. On the other hand, in terms of numbers, we have had 57 votes in the Congress, the House and the Senate, on Iraq. I have to say, because I serve on the Armed Services Committee, what is going on in Iraq and our national security, there is nothing more important when it comes to the role of Government than to protect the American people. But there has been a lot of political debate about Iraq over the course of the past 10 months, much of which was designed to promote showdowns with the President, to create political opportunity for Members on the other side to earn points with liberal interest groups. That is 57 votes on Iraq in the last 10 months at the same time that we don't have an Energy bill, at the same time that we haven't passed a single appropriations bill, that we haven't confirmed an Attorney General, that we have FISA legislation, the lack of passage of which is inhibiting our ability to catch bad people and terrorists trying to do harm to the American people.

These are all numbers and facts that I believe the American people want to see this Congress address, rather than engaging in political arguments that are designed for no other reason than to prove a political point or to embarrass the administration or to satisfy a liberal special interest group.

I submit we still have time. We don't have a lot of time, but it would behoove the Congress and the Democratic leadership in the Senate and House to work together to try to solve the problems the American people care about, rather than engaging in more political arguments, rather than sending the

President bills the Congress knows he is going to veto.

Let's get after some of these more important issues, such as the high cost of energy, passing appropriations bills that control Federal spending and I think adhere to the American people's sense of fiscal responsibility and a belief that the American Congress ought to be responsive to the American people by being responsible in the use of their tax dollars.

So I see our time is winding up in terms of morning business, and I know the WRDA bill is pending before the Senate. We are going to take that up. But I simply hope in the remaining days of this calendar year, 2007, we can actually do something that will create a record of accomplishment for the American people rather than continuing to have the Democrat majority in the Senate trying to make political statements and score political points.

With that, Mr. President, I yield my time.

Mr. LOTT. Mr. President, parliamentary inquiry: What is the time situation now for the body?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. If the Senator will withhold, morning business is closed.

WATER RESOURCES DEVELOPMENT ACT OF 2007—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the veto message on H.R. 1495, which the clerk will report.

The assistant legislative clerk read as follows:

Veto message to accompany H.R. 1495, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, I ask unanimous consent that the vote on the veto message occur at 11:45, with half of that debate time equally divided between Senators BOXER and INHOFE and the remaining half under the control of the Republican leader.

This has been approved by both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, if I could, I will take a couple minutes at this time.

I have been watching the Congress pretty closely now for 35 years as a Member of the House and the Senate, and I have been involved in end of sessions 19 times in the Senate, but I must say, it is about as big a mess as I have ever seen. We are not going to have a single appropriations bill down to the President signed for the whole year, even by the end of this week.

The bill that is on the way, the Labor, Health and Human Services, and Education appropriations bill, which is \$9.8 billion above what the President asked for and has lots of problems, is going to be vetoed, and will be back up here next week. Hopefully, we will find a way before this week is out to pass the Defense appropriations bill so our men and women will know they are going to get the assistance they need, the equipment they need, the protections they need. That would be the first appropriations bill to get to the President that he might actually sign.

It is true right across the board. All year long, it has been about political positioning. It has all been about fighting over Iraq. There are so few things where we have come together and worked together and gotten something produced.

Thank goodness a couple weeks ago we did the Amtrak authorization bill. I have urged, all year long: Let's quit finding issues we can fight over, and let's find some issues we can work together on, get bipartisan agreements on that would help the American people.

I believe, actually, the WRDA bill, the Water Resources Development Act, is one of the few things we can look at and say we did something good for our country and for our constituents this year. It is bipartisan. It has been laboriously developed over the last 5 or 6 years—a long time coming.

It is one of the few areas where we actually do something constructive, where you can see physically something the Federal Government has done. It creates jobs. It provides safety and protection, safe drinking water. It is one of the only bills that I think actually produces a positive result.

I have always been proud of the Corps of Engineers because the Corps of Engineers is one of the few Government entities that actually does something, produces something—something you can see and feel and helps the quality of life. We are always involved in social welfare programs, giveaway programs, and we are always trying to find a way to raise taxes and do things that are not good for our constituents. This one actually does something good.

Sure, there are disagreements. There are some programs in here that probably are not sufficiently justified. I know from past experience, almost every President has opposed this type of bill. I remember Jimmy Carter did not like the Corps of Engineers. We had a fight with him over river projects, water projects, the same thing with George H.W. Bush, the same thing with Bill Clinton. He had people in his administration, in the Office of Management and Budget—oh, they didn't like water resources projects.

Here it is again. The President has vetoed this bill. So I must say, I am not boasting about it, but I have no qualms about saying the President's views notwithstanding, I will vote to override his veto on this legislation.

This is about flood protection. This is about water and sewer projects. It is about doing something about water and the proper salinity in the Gulf of Mexico. These are good, deserved, justified projects that should go forward.

So I will vote to override the veto. Perhaps the President did the right thing in some respect, but I buy the argument it is an authorization. It is not an appropriations bill. I have always in the past found that if you get a project authorized and then you go get the appropriations, you do not have a problem. Well, we kind of got away from that. We have gotten into difficulty. But I understand why the President vetoed it. He is trying to hold the line on spending. Congratulations. That is good. I am going to be supporting him on most of his vetoes.

I cannot imagine any vetoes that might be forthcoming where I would not support the President—beyond this. But in this case, I believe this bill is in the best interests of the country. I know it is very beneficial to my State. A quarter of the State probably would not exist if we did not have flood control projects. My State is a poor State. We are still struggling to make sure people have safe drinking water, so they do not have to haul the water to their house, believe it or not, here in 2007. Ports and harbors are critical for the future economic development and competitiveness of this country in a global economy.

So I look forward to having a brief discussion. I look forward to the vote. I will vote to override the President's veto.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I ask unanimous consent to speak for 2 minutes on the Republican side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized.

Mr. VITTER. Mr. President, I, too, stand in strong support of overriding President Bush's veto of the WRDA bill. I do so because this WRDA bill is absolutely crucial for our entire country and nowhere more so than my State of Louisiana.

This is a real hallmark in our continuing recovery from the devastating 2005 hurricanes—Hurricanes Rita and Katrina. This is an enormously important step in that continuing recovery. That is true for many reasons, but the most fundamental is a simple one. Unfortunately, it is a fact many people forget. So much of the devastation to the Greater New Orleans area, in particular, immediately following Hurricane Katrina, was not because of an act of God. It was manmade. It was not because of the size and ferocity of Hurricane Katrina, as bad as that was. It was because of fundamental flaws and mistakes made by the Corps of Engineers in building our levees in Greater New Orleans.

Now, that does not explain all of the flooding, by any means. It does explain at least 70 percent of the catastrophic flooding of the New Orleans area. So that is why this authorization bill, to move forward on crucial Corps of Engineers projects, and to do it right, with proper oversight from outside, independent experts, is so very important.

One of the first things I did coming to the Senate in early 2005 was to go to the EPW Committee to begin my work on this WRDA bill. I worked relentlessly on it there with my colleagues and then followed the bill to the conference committee. So this is a very important, momentous step in our recovery with regard to closing MRGO, with regard to fundamental coastal restoration, with regard to a true 100-year level of protection, with regard to important projects in other parts of the State, the Port of Iberia, protection for Vermilion Parish, work in the Calcasieu River, bank stabilization in the Washita and Black Rivers.

Therefore, I urge my colleagues on both sides of the aisle, let's finish this job. Let's finally get this work done today. Let's override President Bush's veto of WRDA.

Mr. President, I yield back my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, when the quorum call is resumed, I ask unanimous consent that the time be divided equally between the two sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. VITTER. With that unanimous consent request having been granted, Mr. President, I again suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent to speak for 2 minutes on the override.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I thank the Chair, and I thank the Senate.

I came here to just spread the RECORD with a couple of minutes of my observations about the WRDA bill and to suggest that the President of the United States made a mistake. This bill should not have been vetoed. This bill is totally an authorizing bill.

Now, I don't want to say he made a mistake and then talk technical lan-

guage that nobody understands, but in the Congress, we have a way of spending money. We have a way of spending money called appropriations, and we have a way of spending money that is an entitlement, such as Social Security or veterans' pensions, and then we have another way where we just authorize a program to be funded later, if at all—to be funded later, maybe—and that is an authorization bill.

This WRDA bill is the result of a 7-year effort on the part of the committee of jurisdiction to put together a composite of all of the public works projects from around the country so that when somebody seeks to get them funded, they can say they have been authorized by the Congress. However, that doesn't mean they will ever get funded. If we don't have enough money, the programs that are included in WRDA won't get funded, and if they get funded, there will be an opportunity for a President to veto a bill that contains the money, the expenditures.

So as I see it—now I am speaking to the President of the United States, not my friend in the chair—Mr. President: You should have talked to some of us who have been here and who would have told you that no matter what numbers you put down on this bill, we don't spend any money unless and until we appropriate it, and we may never appropriate it. Many bills are authorized and the Congress never gets around to saying we have enough money to pay for them.

So I am going to vote to override the President so we will have this authorizing bill called WRDA on the books for those projects that from time to time Members will say to the Appropriations Committee: It is time to spend money for this and it is time to spend money for that, or the appropriators may say: We don't have enough money for any of it.

For instance, in my State of New Mexico, there is a provision for a park along the Rio Grande River where we have a greenbelt of sorts, and it will be a rather startling park for the city of Albuquerque if it is ever done. But it may never get done. It is just authorized by the WRDA bill after years of work. My office worked very hard on that program for a long time, and we were fortunate to get it in this bill, and maybe someday we will get to fund it.

So I say to the President of the United States: I assume you understand you will get overridden on this bill, and I would assume rather handsomely. Many of us would listen to you if you are talking about spending too much money, but this one is not that; it isn't spending too much money because it doesn't spend any money. It may never spend any money. But when it does, those will be the opportunities for vetoes or for people to argue that you are spending too much.

I thank the Chair, and I thank the Senate for listening.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California has 7 minutes remaining.

Mrs. BOXER. Thank you very much.

Mr. President, Senator INHOFE will be here shortly. We have both been in a hearing on global warming, and on that one, we don't see eye to eye, but on this override, we very much see eye to eye.

• Mr. MCCAIN. Mr. President, I would like to express my strong support for the President's veto of the Water Resources Development Act of 2007, and I urge my colleagues to oppose the attempt to override this veto. This legislation is fundamentally flawed, authorizing nearly 1,000 new projects without any method for prioritizing the needs of our national water infrastructure.

When the House and Senate went to Conference on WRDA, the Senate bill totaled \$14 billion and the House bill \$15 billion. Somehow this resulted in a final conference report totaling \$23 billion and 900 new projects—300 more than either of the House- or Senate-passed bills had included. These items are just further additions to the growing backlog at the Corps of Engineers.

Buried among these projects are valid infrastructure needs including helping to protect the gulf coast against future hurricanes. However, as stated in the November 5, 2007, Washington Post editorial entitled "Fiscal Plunge: A vetoed \$23 billion water bill is not worth saving," "The bill would indeed authorize about \$1.9 billion for coastal ecosystem restoration and protection in Louisiana to help the state rebuild its defenses against hurricanes. The president supports that; he just thinks that Congress could have authorized it without also larding on billions of dollars' worth of economically and environmentally questionable projects." I will ask that the editorial be printed in the RECORD immediately following my remarks.

I know that many are arguing that we have to pass legislation in order to begin or complete important water infrastructure projects throughout the United States. However, I believe that we should be passing a bill that will authorize legitimate, needed projects without sacrificing fiscal responsibility.

In August, the Senate passed the Honest Leadership and Open Government Act of 2007 with the supposed intention of bringing integrity to the system of earmarking appropriation and authorizations bills. Unfortunately, within 10 days of its enactment, the Senate approved the conference report for WRDA that is just more of the same earmarks and then some. Prior to congressional consideration of the con-

ference report, the Director of OMB and Assistant Secretary of the Army for Civil Works sent a letter to Congress stating that the excessive price and number of projects in this legislation would result in a Presidential veto. I am pleased that the President followed through on that statement and rightfully vetoed this water resources bill full of pork projects and unchecked Government spending.

When issuing his veto of the Water Resources Development Act on November 2, 2007, the President stated, "This bill does not set priorities. The authorization and funding of Federal water resources projects should be focused on those projects with the greatest merit that are also a Federal responsibility . . . This bill promises hundreds of earmarks and hinders the Corps' ability to fulfill the Nation's critical water resources needs . . . while diverting resources from the significant investments needed to maintain existing Federal water infrastructure. American taxpayers should not be asked to support a pork-barrel system of Federal authorization and funding where a project's merit is an afterthought."

During Senate consideration of this bill, Senator FEINGOLD offered an amendment that I was pleased to co-sponsor that would have established a system to give clarity to the process used for funding Corps projects. Of course, that amendment was not adopted because this Congress values pet projects over national priorities. I believe that this Congress has a duty to protect taxpayers' dollars and ensure that they are used for the most cost effective and critically needed projects. This bill fails to provide for any clarity or prioritization in the funding process and would result in further confusion and irresponsibility in how Corps projects are funded.

I urge my colleagues to oppose the attempt to override the President's veto of the Water Resources and Development Act of 2007.

Mr. President, I ask unanimous consent that the editorial to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FISCAL PLUNGE: A VETOED \$23 BILLION WATER BILL IS NOT WORTH SAVING.

Ah, the theatrics of Washington. On Friday, President Bush vetoed the Water Resources Development Act (WRDA), a bill that would authorize \$23 billion in spending on water projects by the Army Corps of Engineers. Lawmakers of both parties were critical. Senate Majority Leader Harry M. Reid (D-Nev.) said that the veto shows "President Bush is out of touch with the American people and their priorities." According to Mr. REID, one of 81 senators to vote for the WRDA (it passed the House 381 to 40), the bill would "strengthen our environment and economy and protect our natural resources" and fund projects "essential to protecting the people of the Gulf Coast region" from hurricanes. The veto is "irresponsible," Mr. REID declared.

After almost five years in which he did little to check the spending of a Republican-

controlled Congress, Mr. Bush is a bit late in trying to recover his party's reputation for fiscal conservatism. But even discounting for the White House's political posturing, this is hardly an example of an "irresponsible" veto. To the contrary, that word might better be applied to the WRDA itself. The bill would indeed authorize about \$1.9 billion for coastal ecosystem restoration and protection in Louisiana to help the state rebuild its defenses against hurricanes. The president supports that; he just thinks that Congress could have authorized it without also larding on billions of dollars' worth of economically and environmentally questionable projects. And he's right: After all, the Senate and the House versions of the legislation tipped the scales at \$14 billion and \$15 billion, respectively. Then, in conference committee, lawmakers added more pet projects to bring the total up to \$23 billion.

The silver lining in the bill is that it takes some tentative steps toward reforming the Army Corps, providing for independent review of projects worth more than \$45 million. But this modest change is much weaker than what the overhaul reformers in the Senate had advocated. Thus Mr. Bush's valid concern, expressed in his veto message, that the WRDA "does not set priorities" among the \$58 billion in projects authorized in past bills. Indeed, though it has a high nominal price tag, the WRDA only promises projects, essential and otherwise, that have to compete for the \$2 billion the Army Corps spends each year. So the WRDA is largely a hollow political exercise. Given the overwhelming margins by which both houses passed the bill, though, Mr. Bush's veto is almost certain to be promptly overridden. This time, Congress's empty gesture will trump the president's futile one. •

Mr. MCCAIN. I think it is important to note the historic significance of what I think is about to happen here because only 106 times in the entire history of the United States of America has the Congress overridden a Presidential veto—only 106 times. The first time was in 1845 over the funding of military equipment. Then-President Tyler bypassed Congress and tried to buy some equipment that Congress had not approved of. Congress was able to stop that when his veto was overridden on the bill.

The point is, there is, in our Constitution, a separation of powers and a balance of powers. I think when there is overwhelming support across party lines, overwhelming support from our communities from the bottom up, to pay attention to our infrastructure, to pay attention to the needs of our economy, to pay attention to the needs of the American people—when there is overwhelming bipartisan support, why would a President cast a veto?

As I asked rhetorically before the President vetoed this WRDA bill, I said: Do we have to fight about everything? Aren't there some things on which we can agree? But it was not to be. I think if, in fact, we do override this veto—which I fully expect we will do, but I never count anything until it is done—I think what we are saying to the President is, he should respect us, he should respect the Senate, the House, and the American people. We were elected too. We are close to the people. We know what their needs are.

If, in fact, we do override this ill-advised veto, the American people will win today.

This water resources bill is 7 long years in the making. If we override this veto, Mr. President, we are fulfilling a promise to the people of Louisiana. We promised them, after Katrina, we would rebuild. The President went there and said:

I will stay as long as it takes to help citizens rebuild their communities.

I say to the President: When you vetoed this bill, you stood up before the people of Louisiana and said: Sorry. One flick of the veto pen, and the President turns his back on the people of the gulf coast.

I think testimony to that fact was given by Senators LANDRIEU and VITTER. The fact is, Congress is stepping in to do the right thing today. We are a separate but equal body, and we are showing across party lines that no matter who the President is, there are some moments in time when he needs to come to the table and work with us. This was one of those times because the WRDA bill is going to help ensure America's water infrastructure and flood control needs are met.

Again, it puts the gulf coast on the path to recovery. But it does other things. In my State, it is going to finally take care of our problems in Sacramento, where 300,000 people, potentially, could be harmed and hurt and damaged because we have not done what we had to do to protect them. We do it in this bill.

Yesterday, we heard from Senator BILL NELSON about the major restoration of the Everglades that is in this bill—another promise made by Republicans and Democrats alike. The Everglades is a national treasure—actually, a worldwide treasure. Yet we go to communities all over this Nation, from sea to shining sea, and we look at the communities and say that we will work with them on flood control, on making sure goods can move through our ports, and on recreation.

The Corps and the BLM run many recreation areas that see millions of visitors every single year. So it is about recreation, commerce, flood control, and it is about environmental restoration.

It enacts the most sweeping reforms for the Corps in more than 20 years. I know Senator FEINGOLD did not believe we did enough Corps reform. I respectfully say to Senator FEINGOLD that we went very far. As a matter of fact, I believe we brought more independent review to this process because before—I agree with the Senator—the Corps was just going off on its own. So communities across our country have waited long enough for these vital projects.

As Senator INHOFE said yesterday—and I see he is here now—this is an authorization bill. This doesn't spend a penny, but it is very important because it says we believe these projects are worthy of funding. Then those projects will go through a very tough appropri-

tions process, and every one of these projects, as far as I know, draws on local funding, or State funding, and Federal funding.

This WRDA bill comes from the people—from the people up. When I go to little communities back home—I went to one in Napa, where there is a flood control program; it is essential. It is a senior citizen retirement community, and our folks are frightened because they see what happens when California experiences these incredible shocks of nature, such as the fires, and now we are on the precipice of doing the right thing.

I hope we override this veto. I look forward to the remarks of Senator INHOFE.

Mr. INHOFE. Mr. President, I thank Chairman BOXER for all of her work and efforts. One thing that is kind of interesting about this is, it shows you this bill has the support of everyone, philosophically, across the whole scope. One of the ratings that came out recently rated me as the No. 1—ACU rating—conservative Member of the Senate, and Senator BOXER was No. 97. So she is a proud liberal, I am a proud conservative, and we proudly both support this bill. That is an accurate statement.

Let me say to Senator BOXER and the Democrats who have been so supportive, they have done a good job talking about what we have done over the last 7 years. This is 7 years of work, Mr. President. It is one we have all worked together on. To the right, to my conservative friends, let me say the President cast his veto. I think the veto was ill-advised. When the President comes through with his vetoes of big spending bills that exceed the budget—maybe SCHIP when it comes in—I will support sustaining his veto, or when Labor-HHS comes along that will be over and above the budget, I will be one of the first ones on the floor to support the President in sustaining the veto.

Last night, we had a lot of time. We weren't confined to a short period of time. I had an opportunity to do something I enjoy, and I had some kind comments about it from some of my Democratic friends. I was giving the history, back to 1816, of authorization versus appropriations. It is interesting because right now we are continuing to make that same argument. I think that is the strongest argument in favor of this bill. What is at stake is the authorization process.

I am going to ask my conservative friends to support this override for two reasons. First of all, as was said by many before me—and I have to say it again—it doesn't spend a cent. This is not a spending bill. If your idea is it is out of range, and you cannot support it because it spends too much, that is the wrong way to look at it. We have worked 7 years to put together this bill. Mr. President, there are 751 projects in the bill, and each one has gone through an authorization process,

whereby we have received a report from the Corps of Engineers on each one, and it has taken a long time to get this done.

One of the critics said last night: Why should we authorize more? We have not appropriated all that we have authorized in the past. That is my point. We have 751 projects and probably, judging from the past, we will only authorize maybe 70 percent of those, and they would not be authorized at the highest level. So that is why we have the discipline in place to keep excessive spending under control.

Let's just say—and it will not happen because we are going to override the veto—we did not override the veto and we don't have this bill. There is no way of coming back with a different bill. It cannot be done procedurally. We know that. We would be operating to appropriate for what has not been authorized. That absolutely would not work. It takes all of the preparation, criteria, and reports out of the process.

So, anyway, we don't know how many of these will ultimately be funded. I have to tell Senator BOXER I will be down here opposing some of the things we are authorizing today because that is the way the system works. That is where we have to have fiscal discipline. We have rule XVI, which says, if the appropriators come out and appropriate money that exceeds that which we authorize, it will take a 60-vote point of order margin on rule XVI. I will come down and personally lodge that point of order.

So I say this: This bill does offer the maximum fiscal discipline, and I ask my conservative friends to join us in this veto override, and then join me in sustaining the vetoes on spending bills. Again, this is not a spending bill.

Mr. President, I understand the yeas and nays are automatic.

The PRESIDING OFFICER. The Senator from Oklahoma has 3 minutes remaining.

Mrs. BOXER. If my colleague wouldn't mind, I ask unanimous consent to have printed in the RECORD a list showing nationwide support for overriding this Presidential veto, including national business and labor groups, agricultural groups, national water and infrastructure groups, State and local government support, national conservation groups, and local agencies and organizations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONWIDE SUPPORT FOR OVERRIDING THE
PRESIDENT'S VETO OF WRDA

NATIONAL BUSINESS AND LABOR GROUPS: United States Chamber of Commerce, AFL-CIO, The Teamsters Union, National Construction Alliance, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, United Brotherhood of Carpenters and Joiners of America.

AGRICULTURAL GROUPS: American Farm Bureau Federation, National Corn Growers Association, American Soybean Association, Corn Refiners Association, CropLife America, National Association of Wheat Growers,

National Council of Farmer Cooperatives, National Farmers Union, National Grain and Feed Association, National Oilseed Processors Association, The Fertilizer Institute, United Egg Producers.

NATIONAL WATER AND INFRASTRUCTURE GROUPS: National Waterways Conference, The Waterways Council, Water Resources Coalition, American Electric Power, American Society of Civil Engineers, Associated General Contractors of America, American Association of Port Authorities, American Public Works Association, National Association of Flood and Stormwater Management Agencies.

STATE AND LOCAL GOVERNMENT SUPPORT: Charlie Crist, Governor of Florida, Kathleen Blanco, Governor of Louisiana, Tom Leppert, Mayor of Dallas, Metropolitan Water Reclamation District of Greater Chicago, Southeast Water Coalition, City of Stamford, Connecticut, City of St. Helena, City of Alameda, City of West Sacramento, Morgan Hill Chamber of Commerce, San Jose Silicon Valley Chamber of Commerce, The Board of Supervisors of Marin County, The Board of Supervisors of Santa Clara County.

NATIONAL CONSERVATION GROUPS: The Nature Conservancy, National Audubon Society, National Parks Conservation Society, Ducks Unlimited.

LOCAL AGENCIES AND ORGANIZATIONS: Association of California Water Agencies, Bay Area Open Space Council, California State Coastal Conservancy, East Bay Regional Park District, Friends of Five Creeks, Heal the Bay, Laguna de Santa Rosa Foundation, Pacific Northwest Waterways Association, San Francisco Bay Joint Venture, Santa Clara County Farm Bureau, Santa Clara Valley Water District, Save Mount Diablo, Silicon Valley Leadership Group, Sonoma Land Trust.

Mr. INHOFE. Mr. President, would the Senator from North Dakota like to have a minute or so?

Mr. CONRAD. May I have just a minute?

Mr. INHOFE. Yes.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I come to the floor as chairman of the Budget Committee to simply say this bill doesn't spend a dime. This is an authorizing bill. This bill authorizes projects. That makes them eligible for appropriations. That is all it does. It says to the Appropriations Committee that these projects have been reviewed, and they are authorized by the appropriate responsible committee.

That is the first and necessary step, but it is not the step that can spend a dime. The Appropriations Committee is the only committee here that can actually create spending from this bill. So I think it is very important for people to realize that basic fact.

I thank the Chair, and I thank very much the chairman and ranking member for a very professional job of managing this bill.

Mr. INHOFE. Mr. President, I thank the Senator from North Dakota for his comments. He is exactly right. If there was time, I would repeat some of the things we talked about last night that the Senator from North Dakota was very complimentary on regarding the history of appropriators versus authorizers since 1816.

I believe what is at stake is the authorization system, which I believe is

the only discipline we have in the appropriations process.

The PRESIDING OFFICER. All time is expired. The question is, Shall the bill pass over the objections of the President of the United States to the contrary notwithstanding? The yeas and nays are required.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), and the Senator from Illinois (Mr. OBAMA), are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kentucky (Mr. BUNNING), the Senator from Texas (Mr. CORNYN), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) and the Senator from Kentucky (Mr. BUNNING) would have voted: "yea."

The PRESIDING OFFICER (Mr. TESTER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 14, as follows:

[Rollcall Vote No. 406 Leg.]

YEAS—79

Akaka	Feinstein	Murray
Alexander	Graham	Nelson (FL)
Barrasso	Grassley	Nelson (NE)
Baucus	Hagel	Pryor
Bayh	Harkin	Reed
Bennett	Hatch	Reid
Bingaman	Hutchison	Roberts
Bond	Inhofe	Rockefeller
Boxer	Inouye	Salazar
Brown	Isakson	Sanders
Byrd	Johnson	Schumer
Cantwell	Kennedy	Shelby
Cardin	Kerry	Smith
Carper	Klobuchar	Snower
Casey	Kohl	Specter
Chambliss	Landrieu	Stabenow
Cochran	Lautenberg	Stevens
Coleman	Leahy	Tester
Collins	Levin	Thune
Conrad	Lieberman	Vitter
Corker	Lincoln	Voinovich
Craig	Lott	Warner
Crapo	Lugar	Webb
Dole	Martinez	Whitehouse
Domenici	Menendez	Wyden
Dorgan	Mikulski	
Durbin	Murkowski	

NAYS—14

Allard	Ensign	McCaskill
Brownback	Enzi	McConnell
Burr	Feingold	Sessions
Coburn	Gregg	Sununu
DeMint	Kyl	

NOT VOTING—7

Biden	Cornyn	Obama
Bunning	Dodd	
Clinton	McCain	

The PRESIDING OFFICER. On this vote the yeas are 79, the nays are 14. Two-thirds of the Senators having voted in the affirmative, the bill, on reconsideration, is passed, the objections of the President of the United States to the contrary notwithstanding.

The Senator from California.

Mrs. BOXER. Mr. President, I want to say while colleagues from both sides of the aisle are here how important this moment is. It is very unusual for a Congress to override a Presidential veto. This is only the 107th time it has

been done in the history of the country. The first one was in the 1840s. President Tyler tried to buy some military equipment without getting the approval of Congress and that started the first successful override.

Today I think we sent a message, as Republicans and Democrats, to the executive branch. Mr. President, why should we have to fight over everything? We shouldn't have to argue over making sure our infrastructure is strong. I say to Senator INHOFE, whom I don't see on the floor at the moment, but to his staff: Thank you so much for working with our staff. This has been quite an experience. As most of you know, Senator INHOFE and I don't exactly see eye to eye on everything, but on this, we were very much a team.

I thank the majority leader, Senator REID, for his strong support in working with us. I know it was a little annoying when he saw me coming down the hall every time. He sort of ducked, because he knew I was saying: When are we going to do WRDA?

Mr. BYRD. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will come to order.

Mrs. BOXER. Mr. President, I thank Senator BYRD. I think it is interesting that he stands up to get order, because he teaches us every day what the Constitution means. The Constitution means that we, in fact, are an equal branch of Government. Today I think we proved that point.

I say to Senator LANDRIEU and Senator VITTER, who isn't on the floor at the moment, but I want to say about Senator LANDRIEU what a fighter she is for her State. This bill fulfills a promise the President made on that very dark and gloomy night when he went out, with the eerie lights behind him, because he was right at ground zero of Katrina, and he said he would keep his commitment to the people of Louisiana; that he would protect them. Yet and still he vetoed this bill.

I say to both Senators from Florida, whom I see on the floor, Senators NELSON and MARTINEZ, how proud I am to have worked with them to make sure we fulfill our commitment to the Everglades. The trip I took with Senator NELSON and his wife, my husband and I, is embedded in my memory forever, and this bill sets us on a course we must follow.

I say to communities all over the country, including my own, we know you have flood control needs, we know you need to keep up with imports and exports and make sure our ports function right. To those who want to preserve the environment, have restoration of the environment, we do that here. So this is a very important bill. The recreation industry is counting on us.

This is one of those rare moments, in a very divided Senate, that we come together. I couldn't be more proud.

In closing, I thank the following staffers, who have worked night and

day: Bettina Poirier, Ken Kopocis, Jeff Rosato, Tyler Rushforth, Andy Wheeler, Ruth Van Mark, Angie Giancarlo, and Let Mon Lee. Also, I thank Senator BAUCUS's staff: Jo-Ellen Darcy and Paul Wilkins; and from Senator ISAKSON's staff, Mike Quiello. I mentioned Senator INHOFE's staff in that recitation of names. Without them, the Water Resources Development Act of 2007 would never be law.

I am proud to advise my colleagues that it is now law. When that last vote was cast, and when our Presiding Officer announced the vote, this bill became the law of the land. We can be very proud it is.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, may I take a moment to thank the chairwoman of this committee again for fulfilling the promise she made to have this bill—that was 7 years in the making—become law. And as of about 10 minutes after 12, eastern time, it did become law.

People in Louisiana and throughout the gulf coast are cheering, dirt is being turned, levees are being built, and wetlands are being preserved. This Congress has kept its word to the people of Louisiana and the gulf coast, and for that this Senator is very grateful.

Again, I thank the Senator from California.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

ENDA

Mr. KENNEDY. Mr. President, last night the House passed the Employment Non-Discrimination Act with a strong bipartisan vote. The House bill prohibits employers from discriminating against workers on the job because of their sexual orientation. It protects Americans from being fired, denied a job or promotion, or otherwise intentionally discriminated against because of their sexual orientation. Although the bill is narrower than many of us had hoped, the House action is still a main step in the long journey toward full civil rights for every American.

In the Senate, I will work to move the Employment Non-Discrimination Act this Congress. The bill that the House passed is being held at the desk, and I am working with leadership to move this bill forward as quickly as possible.

This Nation was founded on the principle of equal justice for all. That noble goal represents the best in America—that everyone should be treated fairly and should have the chance to benefit from the many opportunities of this country. The House action brings us closer to that goal.

Forty-three years ago, President Lyndon Johnson signed into law the Civil Rights Act of 1964. At that time, some in our country were violently opposed to outlawing racial discrimina-

tion, and it was very difficult for Congress to reach a consensus. But the best in America, and the best in the Senate, prevailed. My first major speech in this body as a freshman Senator was on that Civil Rights Act. I said then that I “firmly believe a sense of fairness and goodwill also exists in the minds and hearts” of Americans, and that laws creating the conditions for equality will help that spirit of fairness win out over prejudice, and I still believe that today.

Since the 1964 act was passed, we have seen enormous progress in this beloved Nation of ours. Civil rights laws giving national protection against discrimination based on race, national origin, gender, age, and disability have made our Country a stronger, better, fairer land. African Americans, Latinos, Native Americans, and Asians have made extraordinary advances in the workplace. People with disabilities have new opportunities to fully participate in our society. The workplace is far more open to women in ways that were barely imagined four decades ago. In countless businesses, large and small, glass ceilings are being shattered. Women and girls have far greater opportunities in the classroom and in the boardroom.

But that progress has left some Americans out. Civil rights is still the Nation's unfinished business. Today, it is perfectly legal in most States to fire an employee because of sexual orientation or gender identity. Many hard-working Americans live every day with the knowledge that, no matter what their talents and abilities, they can be denied a job simply because of who they are. Many young students grow up knowing that no matter how hard they study, the doors of opportunity will be locked by prejudice and bigotry when they enter the workplace.

Although some States have outlawed job discrimination based on sexual orientation and gender identity, in most of the country, workers have no recourse at all if they are fired because simply because of who they are. That is unacceptable, and we have a duty to fix it, and to do so on our watch.

In the past 40 years, our Country has made great progress in guaranteeing fairness and opportunity.

When we passed the Civil Rights Act of 1964, the Voting Rights Act of 1965 and then the fair housing acts of 1968 and 1988, we took courageous steps, and we were proud that the Senate did the right thing each time. We must also do the right thing—the courageous thing—today. In the 1960s, these laws were controversial. But today, none of us, Democrat, Republican, or Independent, would question that they were the right steps to take, and we must take the right steps today.

Over the years, the Senate has recognized time and again the importance of our goal of equal employment opportunity. Even if we have sometimes disagreed about its proper interpretation, there is no division among us that the

principle of equal employment opportunity is a core American value.

That is what the Employment Non-Discrimination Act is all about—equal job opportunities for all Americans. By extending the protection of title VII to those who are victimized because of their sexual orientation, we are moving closer to that fundamental goal. No one should be denied a job simply because of who they are.

That ideal is at the heart of the Employment Non-Discrimination Act.

In 1996, we fell one vote short of passing the bill in the U.S. Senate. In the decade since, public support for outlawing such discrimination has only grown stronger. Now that the House has acted, I hope that we will be able to finally succeed in the Senate in passing the Employment Non-Discrimination Act this Congress, and I look forward to the coming debate.

America stands for justice for all. Congress must make clear that when we say “all” we mean all. America will never be America until we do.

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (H.R. 2419) to provide for the continuation of agricultural programs for fiscal year 2012, and for other purposes.

Pending:

Harkin amendment No. 3500, in the nature of a substitute.

Reid (for Dorgan/Grassley) amendment No. 3508 (to amendment No. 3500), to strengthen payment limitations and direct the savings to increased funding for certain programs.

Reid amendment No. 3509 (to amendment No. 3508), to change the enactment date.

Reid amendment No. 3510 (to the language proposed to be stricken by amendment No. 3500), to change the enactment date.

Reid amendment No. 3511 (to amendment No. 3510), to change the enactment date.

Motion to commit the bill to the Committee on Agriculture, Nutrition and Forestry, with instructions to report back forthwith, with Reid amendment No. 3512.

Reid amendment No. 3512 (to the instructions of the motion to commit to the Committee on Agriculture, Nutrition and Forestry, with instructions), to change the enactment date.

Reid amendment No. 3513 (to the instructions of the motion to recommit), to change the enactment date.

Reid amendment No. 3514 (to amendment No. 3513), to change the enactment date.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, for the benefit of all Senators, we are now back on the farm bill. The farm bill was laid down 2 days ago, on Tuesday. We have asked the other side if they want to offer amendments, but we have seen no amendments. We have one amendment pending. The Grassley-Dorgan or Dorgan-Grassley—I don't know which came first on it—amendment is pending. But we have heard from the leader on the other side that they want to offer amendments.